

From: [ANR - WSMD Lakes](#)
To: [Jensen, Kimberly](#)
Subject: FW: Act 57 study committee comment
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Subject: Act 57 study committee comment

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Comments Regarding Act 57 Final Report

Dear Study Committee Members,

Thank you all for the time you put into consideration of the aquatic permitting process and how to make it better moving forward. With the DEC taking the lead role, the focus on the permitting process itself, at times, appeared secondary to reviewing the past twenty years of chemical treatment in about a dozen Vermont lakes. Many Vermonters have likely been totally unaware of the use of herbicides in our waters. I agree that a knowledge of history is as important as an appreciation and understanding of scientific methods.

I have followed the study committee meetings closely and read (or at least skimmed) all the posted comments. My takeaways include: A poison by any other name (herbicide, pesticide, rodenticide, Renovate, ProcellaCOR) is still a "poison." It was noted in the report that, "There are no published human studies on the toxicity of pesticides used for aquatic nuisance control." That lack of information concerns some folks. That concern is not "misinformation." As Ms. Jensen states, herbicides should be used as a last resort. The permitting process needs to thoughtfully consider under what, if any, circumstances should we be putting herbicides directly into our state's waters. It is apparent from comments from property owners on small shallow ponds, like Burr and Beebe, that they fear, without chemical treatment, those water bodies will continue to experience accelerated eutrophication. That is perhaps a more valid concern than the complaint that some areas of a large lake like Bomoseen are not good for waterskiing. (The upper end of the lake is, after all, a designated wetland, long referred to by locals as a "swamp." And the LBA board of directors chose to discontinue a successful mechanical harvesting program due to purported "lack of funds," while claiming they could come up with \$250,000 should they be granted an herbicide permit.) Clearly all lakes are unique in terms of size, depth, and factors affecting water quality. Efforts to evaluate all lake stewardship plans through a "one size fits all" permit review process is destined to fall short. The initial permitting of aquatic herbicide use on any given Vermont lake has, to date, resulted in a "shift" in EWM management practice and has not resulted in "eradication." It has set in motion continued herbicide use (indefinitely?) with perhaps a few years break between applications. Clearly not all Vermont lake users are in favor of this approach.

I would ask that the study committee members (and the legislative committees moving forward)

consider whether, or to what extent, were the following questions answered:

How well does the current permitting process serve the people of the state of Vermont for whom our lakes are held in trust?

Do Vermont residents have sufficient voice in how these resources are managed on their behalf?

Given limited funding, how efficient is the current permitting process in terms of DEC staff time and the associated costs of responding to comments AFTER a draft permit decision has been written?

Would it not be more efficient to require public outreach prior to setting in motion the permit review process? Might this be an expectation of the permit applicant?

Does the current process adequately address WHO the permit applicant represents and on whose behalf they speak?

Should a small, well funded group of donors be allowed to impose their vision and forced "benevolency" on all lake users?

Does the mere presence of EWM justify the use of chemical treatment?

Does the current permitting process require sufficient evidence of the "need" for chemical treatment?

Are permit applicants required to clearly articulate the goals of their proposed "management plan"?

(ie. keep boat lanes open, keep areas around public launches clear of vegetation, appease private dock owners?) The statement that a lake association has "tried everything" and "nothing worked" is not valid in the absence of clearly articulated, realistic goals.

Does the application process clearly delineate between rapid response plans, eradications plans, and long term management plans?

The clear areas of agreement between opponents and proponents of aquatic herbicide use are:

1.

Vermont has limited funds available for the stewardship of our lakes.

2.

Past practice has been too reliant on volunteer lake associations to take on the cost of the stewardship of our lakes.

The above factors have resulted in an attitude on the part of some lake association boards of directors that if they are the ones contributing the bulk of funding, then they should get to do whatever they want.

When it comes to the stewardship of our precious natural resources, Vermonters deserve better.

Thank you for your efforts on the behalf of all who use and treasure our lakes.


Bomoseen resident